

The Department of Community Planning & Development
City Hall, Lynchburg, VA 24504 **434-455-3900**

To: Planning Commission

From: Planning Division

Date: July 28, 2004

Re: ZONING ORDINANCE: FLEXIBLE SPACE DEVELOPMENT AMENDMENT

I. PETITIONER

City of Lynchburg Department of Community Planning and Development, City Hall, 900 Church Street/P.O. Box 60, Lynchburg, VA 24505

Representative: Tom Martin, City Planner, Department of Community Planning and Development, City Hall, 900 Church Street/P.O. Box 60, Lynchburg, VA 24505.

II. LOCATION

The proposed Flexible Space Development regulations will be applicable by right in all I-1, Restricted Industrial Districts and I-2, Limited Industrial Districts. It will be applicable subject to City Council approval of a Conditional Use Permit (CUP) in all B-5, General Business Districts.

III. PURPOSE

The purpose of this petition is to recommend adoption of the Flexible Space Development regulations as a part of the City's Zoning Ordinance.

IV. SUMMARY

- Petition agrees with the Comprehensive Plan which recommends creating new zoning categories to accommodate new and existing businesses.
- Petition proposes an amendment to the City's Zoning Ordinance to permit development of mixed-use developments with types of businesses that were not contemplated at the time the City's Zoning Ordinance was adopted in 1978.

The Planning Division recommends approval of the amendment petition.

V. FINDINGS OF FACT

1. **Comprehensive Plan.** The Lynchburg *Comprehensive Plan* recommends updating the City's Zoning Ordinance because:

Many provisions of the ordinance are quite old, dating to the 1970s, and no longer address the types of development that are occurring today in the City. The lists of permitted uses, particularly in the business and industrial zones, are out-of-date since they address businesses and industries more prevalent at the beginning of the 20th Century than at the beginning of the 21st Century. (page 5.10)

The Comprehensive Plan suggests that the City allow a more fine-grained mix of uses in industrial areas. Chapter 4, Plan Framework, describes changes in the City's "Business/ Technology & Employment Areas":

As the region's economy has expanded and diversified—balancing a reliance on heavy industry and manufacturing with a mix of technology and service industries—demand for industrial buildings and sites has changed. Once concentrated along rail lines downtown and along the river, the City's industrial uses have migrated to more suburban locations along the US 29 Bypass and the Expressway. (page 4.22)

Chapter 4 continues:

The second driver of these locational shifts in industry [the first is proximity to infrastructure] relates to the evolution of manufacturing practices and the associated change in demand from multi-story buildings to single-story, open span structures with on-site parking, truck loading facilities, and expansion potential. (page 4.22-4.23)

The need for changes to the City's Zoning Ordinance is stated in the Comprehensive Plan's goals, objectives, and strategies in Chapter 7. Economic Development & Redevelopment:

Goal 3. Implement appropriate City policies designed to maximize citywide economic development strategies. (page 7.8)

Objective 3.B. Incentives. Consider offering appropriate public incentives to achieve citywide economic development and redevelopment objectives.

4) Create new zoning categories to accommodate existing business expansions and the recruitment of new businesses in specific industries (e.g., emerging or "clean").

2. **Impact.** The City has received numerous requests from companies, real estate professionals, and the City's Office of Economic Development for zoning language that would permit office/showroom facilities, "flex tech" projects, and other mixed-use projects. Such businesses may need space for a showroom, office, warehousing, product assembly, and/or research and development (R & D). Groups of similar businesses may wish to cluster together to take advantage of related businesses, as well as other uses that may serve their employees, such as daycare, restaurants, copy shops, and others. At this time, there is no provision in the City's Zoning Ordinance that permits mixed uses of this type.

VI. PLANNING DIVISION RECOMMENDATION

Based on the preceding Findings of Fact, the Planning Commission recommends to the City Council approval of the petition to amend the City's Zoning Ordinance to permit and regulate Flexible Space Developments.

This matter is respectfully offered for your consideration.

William T. Martin, AICP
City Planner

pc: Mr. L. Kimball Payne, III, City Manager
Mr. Walter C. Erwin, City Attorney
Ms. Rachel O. Flynn, Director of Community Planning & Development
Mr. Bruce A. McNabb, Director of Public Works
Mr. R. Douglas DeJarnette, Fire Marshal
Ms. Judith C. Wiegand, AICP, Senior Planner
Mr. J. Lee Newland, Director of Engineering
Mr. Gerry L. Harter, Traffic Engineer
Mr. Robert Drane, Building Commissioner
Mr. Arthur L. Tolley, Zoning Official
Mr. Robert S. Fowler, Zoning Official
Mr. Kent White, Environmental Planner

VII. ATTACHMENTS

1. Flexible Space Development Regulations Amendment